IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.902 OF 2007

Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Shri I.M.Khairdi for the Petitioner.
Shri V.B.Rajure for the Respondent No.3.

CORAM : ABHAY S.OKA, J.
DATED : APRIL 12, 2007.

P.C.:

1. Heard learned Advocates appearing for the parties. By this Petition under Article 227 of the Constitution of India, the petitioner has taken exception to order dated 22nd January, 2007 passed by the trial Court. By the said order, an application for amendment of the plaint made by the Petitioner has been rejected. The Application for amendment has been made by the Petitioner at a stage when final arguments in the suit were being advanced.

2. Considering the nature of the proposed amendment, as of today, no interference can be made with the impugned order. In case the decree passed

in the suit is adverse to the Petitioner, the order impugned can be always challenged by the Petitioner while preferring an appeal against the decree.

3. In view of this position, Writ Petition is not entertained. Subject to what is stated above, Writ Petition is rejected. All contentions of the parties on merits are kept open.

JUDGE